6-3-2002

Form PTO-447A (Rev. 7-98) | Staple to face of Application | U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

APPLICATION TRANSFER REQUEST FOR S.N. 10030242

Section I. TRANSFER REQUEST BY Name **FREAY, CHARLES GRANT** Date **5/8/2002**

TO: Art Unit 3747 Class/sub 123/_____ **FROM:** A.U. 3746 Class _____

REASON:
piston cylinder arrangement for use in a number of applications. Claims 53 and 54 limit to an ICE.

Gatekeeper concurrence _____

Section IIa. DISPOSITION BY RECEIVING TC By: KAMEN A.U. 3747 Date 5/30

☒ NOT ACCEPTED ☐ Forward to receiving TC Post Classifier

REASON: embodiments of pump/motor Fall out First - class 91, class 92

Section IIb. DISPOSITION BY RECEIVING TC POST CLASSIFIER

☒ This dispute was resolved. Forward to TC/AU 3747 Class/Sub 123/_____ Post Classifier _____ Date 6/4/02
123 controls over 91 or 92 or 188 or the other pump classes based on hierarchy as found in the front of the Manual of Classification. see enclosure. Concurring _____

☐ This dispute was not resolved, forward to DISPUTE RESOLUTION PANEL

Post Classifier Assessment:

Gatekeeper concurrence _____ Post Classifier _____ Date _____

Section III. DISPOSITION BY DISPUTE RESOLUTION PANEL Date _____

Panel Decision: Forward To Technology Center/Art Unit _____ Class/sub _____/_____

REASON:

Panel Member _____ Concurring Panel Member _____

never mentions ICE, is concerned mainly w/ pumps - diff types of pumps, and mentions only as an adjunct that the device may also be employed in shock absorbers or motors. motor is a broad term web is defined as "something that imparts or produces motion, such as a machine or engine" American Heritage Dictionary. This could also be an external combustion engine, thus there is no reason to classify it in 123

If there were some question as to whether the invention pertains to pumps or ICE's, it might make sense to classify it in 123. But it clearly pertains to pumps. It would defy common sense to have an examiner who is unfamiliar with pumps examine this case.

123/193.6 is for pistons of internal comb engines. This invention is about the chamber of a pumping piston in a pump, the chamber having cross-sections of different cross-sectional areas.

Hierarchy of classes

SECTION 12. MOTORS, ENGINES, PUMPS

(See also Group II, Electricity, for electric motors.)

60/200.1-204, 221-721 (schedule sequence) . Power Plants
(See also Group II for chemical reaction motors, subclasses 205-220.)

123 . Internal-Combustion Engines

417 . Pumps

91 . Motors: Expansible Chamber Type

415 . Rotary Kinetic Fluid Motors or Pumps

416 . Fluid Reaction Surfaces (i.e., Impellers)

185 . Motors: Spring, Weight, or Animal Powered

418 . Rotary Expansible Chamber Devices

92 . Expansible Chamber Devices